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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,184	03/29/2004	Lynn A. Buckner		7977

7590 01/14/2009
LYNN A. BUCKNER
P.O. Box 609
Chickamauga, GA 30707

EXAMINER

BEACH, THOMAS A

ART UNIT	PAPER NUMBER
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3671

MAIL DATE	DELIVERY MODE
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01/14/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

10/810,184

Examiner

THOMAS A. BEACH

Applicant(s)

BUCKNER, LYNN A.

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 16-21,23-25,29 and 33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Thomas A Beach/
Primary Examiner, Art Unit 3671

EXAMINER'S AMENDMENT

The Examiners Amendment mailed 10/17/08 is hereby vacated and the following Examiner's Amendment presented in its place:

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 1 of the specification,

the first paragraph "This application is a CIP of...application 60/384,719 filed 06/03/2002." was deleted and the following paragraph inserted thereto:

--This application is a CIP of 10/217,055, filed Aug. 12, 2002, now U.S. Pat. No. 6,988,568, which is a CIP of 09/722,797, filed Nov. 27, 2000, now U.S. Pat. No. 6,453,584, which claims benefit of 60/363,058 filed Mar. 11, 2002 and claims benefit of 60/384,719 filed Jun. 03, 2002.--

In the Abstract,

the last sentence was deleted.

In the claims:

In claim 16,

on line 4, --environment-- was inserted after “vacuum” (first occurrence),

on line 7, --said incline slope being-- was inserted after “and”.

In claim 17,

on line 4, --environment-- was inserted after “vacuum” (first occurrence),

on line 6, “excavation” was deleted and --excavating-- was inserted thereto,

on line 7, --and said incline slope being-- was inserted after “container”.

In claim 18,

on line 4, --environment-- was inserted after “vacuum” (third occurrence),

on line 7, -- and said incline slope being-- was inserted after “container”.

In claim 19,

on line 4, “list” was deleted and --group-- was inserted thereto.

In claim 20,

on line 2, “means” was deleted and --method-- was inserted thereto.

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In claim 21,

on line 5, "list" was deleted and --group-- was inserted thereto,

on line 5, " of: " was deleted and --of-- was inserted thereto.

In claim 23,

on line 2, "access door" was deleted and --comprises an additional step of providing an access door that-- was inserted thereto

on line 4, " of: " was deleted and --of-- was inserted thereto.

In claim 25,

on line 5, "chose" was deleted and --chosen-- was inserted thereto.

In claim 29,

on line 2, "or17" was deleted and --or 17-- was inserted thereto,

on line 2, "and" was deleted,

on line 3, "or filter housing" was deleted and --or said filter housing-- was inserted thereto,

on line 8, " of: " was deleted and --of-- was inserted thereto.

In claim 33,

on line 6, "chose" was deleted and --chosen-- was inserted thereto,

on line 7, "or" was deleted and --and-- inserted thereto,

on line 7, "further comprising" was deleted and --an additional step of providing--
inserted thereto,

on line 8, "means" was deleted and --devices-- inserted thereto,

on line 9, " of: " was deleted and --of-- was inserted thereto,

on line 11, "or" was deleted.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

/Thomas A Beach/
Primary Examiner, Art Unit 3671

January 14, 2009

THOMAS A. BEACH
Primary Examiner
Group 3600